Remarks/ Arguments

In response to the Office Action mailed July 30, 2004, Applicants respectfully request that the Examiner reconsider the objections to the specification and the claims.

Claims 1 - 20 remain.

Claims 1, 3 – 4 and 16 are being amended.

Claim 2 is being cancelled.

Claim 8 stands objected – to on the grounds that Claim 8 recites selecting a lower frequency clock to increase the operating frequency, which would be incorrect. Applicants respectfully note however that Claim 8 actually calls for selectively *remasking* the lower speed clock to increase the operating frequency, which correctly restores the higher operating speed.

Claim 1, and associated dependent Claims 5, and 7 – 8, stand rejected in view of the cited prior art; however, Claims 2 – 4, and 6, also dependant on Claim 1, have been objected – to as being based on a rejected base claim, but are otherwise allowable.

Independent Claim 1 has been amended to include the features of former objected – to Claim 2. Claim 2 has been cancelled without prejudice. Claim 1, and remaining dependent Claims 3 – 8, should therefore be allowable.

Claims 9 – 11, 16 – 18, and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the *Jenkins et al.* reference (U.S. Patent 6,668,328) (hereinafter "the *Jenkins* reference"), in further view of *Watts, Jr. et al.* (U.S. Patent 6,633,988) (hereinafter "the *Watts* reference"). Applicants respectfully traverse these rejections.

Specifically, the *Jenkins* reference only states that there exists a correlation between speed and power consumption (the *Jenkins* reference, Col. 1, Lines 49 – 51) and that system power demands may be addressed by changing the system clock frequency (the *Jenkins* reference, Col. 2, Lines 30 – 38). Contrary to the examiner's assertion, the *Jenkins* reference does not teach or suggest a method of noise control by

estimating the processor loading on a selected block and then more uniformly distributing processor loading across block processing periods through clock frequency adjustment.

Furthermore, contrary to the examiner's conclusion, the *Watts* reference also does not teach or suggest estimating the process loading during processing of a selected block and then varying the clock frequency to distribute the loading across the processing period of a block. In particular, the *Watts* reference does not discuss either estimating loading on a block basis or distributing loading on a block basis. Additionally, the *Watts* reference does not teach or suggest techniques for noise control utilizing such estimation and distribution processes.

Instead, the *Watts* reference is focused on reducing power consumption, rather than noise reduction (the *Watts*, reference, Co. 3, Lines 11 – 17). In the system disclosed in the *Watts* reference, the processor input / output activity is generally monitored and the system correspondingly switches between clock frequencies during inactive and active periods, as required to reduce power consumption. In other words, the system disclosed in the *Watts* reference does not attempt to distribute processing loading across the processing period of a block based on estimated loading to reduce noise.

Claims 7 – 8 and 14 - 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable in view of the *Jenkins* and *Watts* references in further view of *Felts, III et bal.* (U.S. Patent 6,581,164) (hereinafter "the *Felts* reference"). Applicants respectfully traverse these rejections.

The differences between the *Jenkins* and *Watts* references and the present claims have been described in detail above. These differences are not remedied by the teachings of the *Felts* reference; as with the *Jenkins* and *Watts* references, the *Felts* reference does not teach or suggest techniques for reducing noise by distributing processing loads across the processing period of a data block, which is contrary to the Examiner's conclusion

No new matter has been added; the claims have been merely amended to more particularly claim the subject matter Applicants believe is inventive. Applicants respectfully submit that the Claims as they now stand are patentably distinct over the art cited during the prosecution thereof.

Applicant respectfully requests a Second Month Extension of Time to File this Response. Enclosed with this paper is Form PTO/SB/22 with Extension Fees in the amount of $490.00 as reflected on the PTO/SB/17 Fee Transmittal.

With the addition of no new claims, no additional filing fees are due. However, the Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account Number 20-0821 of Thompson & Knight LLP.

If the Examiner has any questions or comments concerning this paper or the present application in general, the Examiner is invited to call the undersigned at (214) 969 - 1749.

Respectfully submitted,
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